

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 995 - SB 1431**

March 11, 2021

**SUMMARY OF BILL:** Reduces, from five to three, the number of years that must have elapsed since the completion of a person's misdemeanor sentence before the person is eligible to apply for expunction of records.

**ESTIMATED FISCAL IMPACT:**

**Increase Local Revenue - \$12,800,000/FY21-22**

Assumptions:

- Pursuant to Tenn. Code Ann. § 40-31-101(g)(2)(B), five years is required to have elapsed since the completion of the sentence imposed for the offense in order for records to be expunged.
- This legislation will result in individuals who would have under current law become eligible for expunction in FY21-22 and FY22-23 instead become eligible immediately on July 1, 2021. Further individuals who would have become eligible at some point in FY23-24 will now become eligible two years earlier in FY21-22.
- The number of first-year eligible individuals will therefore triple in FY21-22.
- There is an average of at least 64,000 expunctions processed each year.
- Pursuant to Tenn. Code Ann. § 40-32-101, a person applying for expunction of records shall be charged the appropriate court clerk's fee of \$100, unless the person is entitled to have such records removed and destroyed without cost to the person.
- This legislation will result in an increase in local revenue estimated to exceed \$12,800,000 (64,000 x \$100 x 2) in FY21-22.
- In FY22-23 and subsequent years the first-year eligible individuals will equal roughly that of one year's population of newly eligible individuals under current law; therefore, any fiscal impact is estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive, flowing style.

Bojan Savic, Interim Executive Director

/jg